

RESOLUTIONS NO. RS2019-1568 AND RS2019-1569 –

These resolutions would approve exemptions from the minimum distance requirements for obtaining a beer permit for two establishments, listed below.

The Metro Code of Laws (MCL) prevents a beer permit from being issued to an establishment located within 100 feet of a religious institution, school, park, daycare, or one- or two-family residence. However, several exceptions exist to the distance requirements. Facilities within the USD separated from these protected establishments by state or federal four-lane highways are exempt, as are retailer on-sale beer permit holders in MUL districts and events catered by holders of caterers' permits. (See, Code Section 7.08.090(A)).

Additionally, the Code provides a mechanism to exempt (a) restaurants or (b) any retail food store from Metro's minimum distance requirements, allowing each to obtain a beer permit upon the adoption of a resolution by the Council. (See, Code Section 7.08.090(E)). As revised by Ordinance No. BL2016-454, this Code section no longer requires restaurants to have state on-premises liquor consumption licenses in order to obtain such exemption.

A public hearing must be held by the Council prior to voting on resolutions brought under Section 7.08.090(E).

These establishments and locations are as follows:

- **Resolution No. RS2019-1568 (ROBERTS)** – This resolution would approve an exemption for Harding House Brewing Company, located at 904 51st Avenue North.
- **Resolution No. RS2019-1569 (SLEDGE)** – This resolution would approve an exemption for Publix, to be located at 2223 8th Avenue South.